

REMARKS

By this amendment a single independent claim 16 has replaced previous independent claims 1, 6 and 13. The previous independent claims were rejected under 35 U.S.C. §102(b) as being anticipated by Chimera, U.S. Patent 5,394,620 or alternatively, under 35 U.S.C. §103(a) as being unpatentable over Chimera in view of Caruso, U.S. Patent 3,836,750.

Chimera discloses a body dryer having a fan and an air heater and a rechargeable battery for powering those units. It does not disclose a cylindrical tubular foam plastic end piece connected to the air outlet so as to receive air from the air outlet or an air passage formed through the end piece, laterally to the axis of the cylinder, operative to vent outlet air to the atmosphere at such time as the tubular outlet of the end piece is blocked. In Figures 2-6 Chimera discloses a number of detachable end pieces for the outlet of the body dryer. All of them are solid with the exception of the attachment 33 which has a brush with bristles at its outlet. This clearly distinguishes from the claimed cylindrical tubular foam plastic end piece with a lateral hole for outletting blocked air.

Caruso discloses a hair dryer which has a ring of ports 86 radially disposed about the discharge port 84 to prevent the development of substantial back pressure in the conduit if the port 84 is closed. Accordingly, Caruso does not correct the deficiency of Chimera as a reference because it lacks any disclosure of a cylindrical tubular foam plastic end piece with a lateral air passage preventing blocked outlet air.

The previous independent claims were also rejected under 35 U.S.C. §103(a) as being unpatentable over Caruso in view of DE 2637484 which discloses a handheld heater for thawing frozen door locks. First, Applicant contends that DE 2637484 is non-analogous art for the same

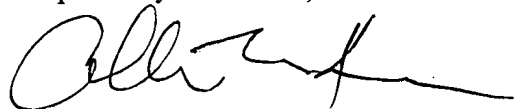
reasons advanced at pages 3-6 of its main brief during the previous appeal and at pages 1-2 of the reply brief.

Secondly, while the German publication includes a rubber nozzle, it does not include a cylindrical tubular foam plastic end piece having an air passage extending laterally to the axis of the cylinder operative to vent outlet air to the atmosphere at such time as the tubular outlet of the end piece is blocked. There is no disclosure or suggestion of this arrangement in either Caruso or the German reference.

Claim 4 was rejected under 35 U.S.C. §103(a) in view of Caruso alone, in view of either the German reference and further in view of Martin, U.S. 1,660,802; Chimera in view of Martin; or Chimera in view of Caruso and further in view of Martin. From the description of the lamp of Martin at column 2, lines 58-64, it would appear that the purpose of the lamp is to add to the air heated by the resistance element 14. In any event, the dryer of Martin is intended for drying hair and is not directly analogous to the use of the present invention as defined in the preamble to claim 16. Moreover, claim 4 distinguishes from the cited references in the same manner as patent claim 16.

Reconsideration and allowance of the application are accordingly respectfully solicited.

Respectfully submitted,



Allen M. Krass
Registration No. 18,277
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

Attorney for Applicant